The ONLY WOMAN California has SENTENCED to DEATH

The Strange Story of Mrs. Emma McVickar, Who Murdered One Husband That She Might Live in Peace With Another

DID you ever serve on a jury when a woman was the prisoner at the bar? When that woman was accused of the greatest crime against society as it is constituted today—murder? Did you ever stop to think what it would mean to weigh this woman in the balance, to meet out death to her should the evidence justify the forfeiture of her life? To condemn to death a fellow-being is no easy task, and if that fellow-being be a frail, weak woman, such as have been put upon this earth to be protected by men, not hanged, the task is no easier.

Yet this is the task which has recently been set twelve plain men in Stockton, Cal. They solved the problem, weighed the evidence as best they knew how, and Mrs. Emma McVicar, sometimes known as Le Doux, has the distinction of being the first woman in California found guilty of murder in the first degree without recommendation to mercy upon the part of the jury. Twelve jurors found her guilty upon the first ballot "beyond a reasonable doubt and to a moral certainty." It took five hours and fifteen more ballots to bring in a verdict of guilty in the first degree with a recommendation that the woman be hanged.

The crime of which Mrs. McVicar was accused was the killing of her husband by poison, and it was upon this charge that she was convicted. The murder was one of the most remarkable in the crimnal history of the State of California. That it was conceived and carried out by a woman makes it all the more remarkable. No man could have conceived and carried out the crime without a clever head and a will of iron, yet this young woman succeeded in accomplishing the murder of her husband and was almost successful in the evasion of the guilt. Had it not been for one little bit of carelessness on her part after the murder was completed, Albert M. McVicar would have vanished off the face of the earth as mysteriously as though he had been spirited away by an evil genius, and Mrs. McVicar would have had no punishment other that that administered by her conscience. It was, however, just this little slip—she forgot to check her trunk—that has brought the woman into the shadow of the gallows—such a slip which has happened time and again in the history of criminology of the world. Had she carried away the trunk and dropped it in the shaft of some abandoned mine she might now have been free.

Mrs. Emma McVicar, the daughter of Mrs. Mary Head, is a woman nearly thirty years old, but she is still a young woman in appearance and remarkably attractive. She married Albert McVicar in Bixby, Arizona, back in 1902. After the honeymoon it appears the marriage was not a happy one, and the two did not live together much of the time. But early last spring the wife made overtures for a reconciliation which her husband eagerly accepted. It has since proved that at the very time she was making these overtures to her husband Emma McVicar was plotting to kill him and had what seemed to her a very good and sufficient cause for putting him out of the way.

After she had left her husband she had met Eugene Le Doux, a man with little or no education, but of a certain attraction. Mrs. McVicar amused herself with him for a time and then fell in love with him and married him, thereby becoming a bigamist. For a time she was successful in keeping her second marriage a secret from McVicar, and, of course, she said nothing about her first husband to Le Doux. In spite of her cleverness in handling the situation she finally became nervous and feared lest she be found out and sent to jail for bigamy. The thing preyed upon her mind and she sought a way out of the difficulty.

Freedom from all suspicion was what she desired, and it came to her that this freedom lay along a certain path, and that path she must tread. It was then she began to conceive the murder of Albert McVicar. Leaving Le Doux to return to her home in Jackson to stay with her mother for a time, she arranged to meet McVicar in Stockton, Cal.

There, about the 10th of March, man and wife came together again and agreed to make their home in the same place. It was decided that they should take a house in Jamestown, the home of her husband, where he had been promised a lucrative job. With this idea in view, they purchased a lot of furniture, staying the while in the California hotel in Stockton. They made several trips out of the city, but returned finally to the California Hotel Friday, March 23, and McVicar registered them at the hotel as A. M. McVicar and wife. They were assigned room 97.

The Trunk Enters the Story.

Mr. and Mrs. McVicar were seen together on the street about 7:30 in the evening of that day, and McVicar was seen near the hotel about an hour later. That was the last time he was seen alive. The next morning Mrs. McVicar visited a trunk shop and purchased a large trunk, saying that she had a great number of dishes to be packed. She ordered the trunk sent to the hotel. Then she looked up an expressman and told him she was leaving on a train early in the afternoon for Jamestown, and that she had a heavy trunk in which she had packed many dishes and household effects. She said that it would probably weigh in the neighborhood of 250 pounds. The expressman said that he thought he could handle the trunk,

Mrs Emma McVicar

so she engaged him to come after it and take it to the station.

A Fatal Mistake.

Mrs. McVicar went back to the hotel and packed up. She sent a boy to get a dress suit case which belonged to Mr. McVicar, saying that she expected to meet her husband later. When he came back with the suit case, she had the boy and porter move her new big trunk out into the hall and leave it there for the expressman. Having settled her bill and her husban's at the hotel desk, she went out and purchased a hat of the latest style and which became her very well. From the milliner's she went to another woman's furnishing store, where she made several purchases.

To all intents and purposes Mrs. McVicar was not nervous or worried during these proceedings, but chatted gayly with the clerks in the stores, and declared that she had changed her mind and would take a little later train. She sent a telegram to a man named Healey in San Francisco, telling him to meet her at the station. When this was accomplished she went to the railroad station to catch her train.

Her trunk had not yet arrived, she discovered. Naturally this caused Mrs. McVicar some anxiety; what woman would not have been anxious under similar conditions Just as she was about to go back to the hotel to see what had become of her belongings, the express man's wagon rounded the corner, bearing the trunk. It was thrown out of the wagon and placed on a truck.

When the train steamed into the station Mrs. McVicar boarded it without giving her trunk another thought. But the baggage man on the train saw that a certain large trunk was unchecked, and he threw it back onto the truck as the train pulled out, leaving Mrs. McVicar's trunk in Stockton. Later the baggage master in Stockton discovered the abandoned trunk. He, too, saw that it bore no check, so he trundled it back to the baggage room. It was very heavy; undoubtedly over weight, the baggage man thought, so he put it on the scales and found that it weighed 225 pounds. There he left the trunk until that night, when some mail came in and had to be weighed.

Meets Healey in San Francisco.

The baggage master turned the trunk over and as he did so noticed that a heavy body inside moved from one place to another. This aroused his curiosity. He turned the trunk several times and each time the heavy body bumped from one side to the other. It happened that the baggage room was very warm because of a roaring fire in the stove. The baggage master noticed that a peculiar odor came from the trunk. He was convinced that a dead body was contained by the mysterious trunk. He summoned the police to his assistance and

together they broke open the trunk. It contained the dead body of Albert McVicar, the face horribly distorted.

It was brought out in the testimony later that Mrs. McVicar went on to San Francisco, where she met Healey, a young man to whom she had been engaged three years before, but who had discovered that she was already married. When this embarrassing situation became known he promptly broke the engagement. Saturday Mrs. McVicar spent in San Francisco with Healey. They went out to the Presidio, where they had lunch. Then they took a ride in a touring car. Later Healey put her on a train en route for Stockton, whither she was going apparently to look up her lost trunk.

Mrs. McVicar got off the train at Antioch, intending to stay over night. She went to the Arlington Hotel. There she was arrested later by Town Marshal Shine for the murder of her husband.

This is the story of events which happened about the time Albert McVicar met his death which was brought out in the evidence at the trial. As the ugly tale was gradually unfolded, the fair young prisoner sat for the most part unmoved. She had a nerve of iron. Once her aged mother, who was with her constantly in the court room, fainted. The daughter was the first to see the signs of collapse and to assist her mother. It seemed impossible to break through her calm, though the chain of evidence against her was terribly strong.

Mrs. McVicar is undoubtedly of plebeian birth, of the people common, but she is nevertheless a thing apart, a dainty little woman, refined in appearance, always well dressed and wearing her clothes with the air of a woman of the world; her manners are unimpeachable and her command of language much greater than is that of several dames who have broken their way with a pick of gold into the ranks of society. A born coquette she is and has played the game of hearts as heartlessly as any fair lady of the court of Louis Quartorze. Two men she married and was engaged to a third. All these affairs had part at the same time, yet by skillfully handling the reins Mrs. McVicar managed to keep her affairs to herself until the recent denounment. Not only did she pull the wool over the eyes of her lovers but she has also been able to retain their love.

Tells Conflicting Stories.

When the body of Albert McVicar was found in Stockton it did not take the police long to get on the trail of his wife. The trunk was easily traced to California Hotel and there were plenty to tell that Mrs. McVicar had purchased it just before she left town. When the woman was arrested in Antioch she told Town Marshal Shine a curious story. She asserted that her husband had met a man named Miller in Stockton the evening he died, that together they had made a night of it, that she had left them to themselves in the room at the hotel while she had gone to another. She heard them quarreling at a late hour and shortly afterward she went back to the room to see that everything was all right.

When she entered the room she saw her husband lying across the foot of the bed, apparently lifeless.

"What's happened?" she asked Miller.

"Took a dose," that worthy is reported to have replied.

Then Miller vanished.

But in San Francisco when she met her quondam lover and fiance Healey she had told him still another story.

"Poor Al died of miner's consumption in Sonora," she said to Healey, who though a husky young man does not appear to have given evidence of any very great amount of gray matter. "Here's his watch, which he gave me before he died."

The incongruity of these stories was of course a subject of comment at the trial. It was further brought out by a careful examination of the organs of the dead man's body that he had enough morphine in him at the time he was placed in the trunk to kill a dozen men. This, the prosecution claimed, had been given McVicar by his wife in some beer and a tonic of wine and iron that he frequently took. The defense declared that McVicar was in the habit of taking morphine tablets, that the man had probably in a fit of despondency taken an overdose to end his life.

Still Alive When Placed in Trunk

It was further brought out by the prosecution that McVicar was probably not dead when he was bundled into the trunk, and that he could have lived for at least seventy minutes in this improvised coffin. The prosecution therefore took the ground that the man died after he was placed in the trunk, but that death was due to the morphine. At one stage of the trial the defense endeavored to show that the man might have been alive at the time the surgeons who made the autopsy began their examination of the body, but this was refuted by the evidence of the surgeons.

Public Aroused.

In his final plea for the prisoner, Mr. Fairall made the best use he could of the fact that she was a woman, and a pretty woman. He declared the evidence inadequate, that there was no direct evidence to prove that she had killed her husband. He endeavored to explain away the fact that she placed the body in the trunk by saying that she had been dazed, terrified, by the sudden terrible occurrence—referring to a possible suicide or a murder by a party unknown—that not knowing what she was doing she had endeavored to carry away without creating any suspicion as to her having had a hand in the death of her husband. But it was of no avail. Judge Nutter, who was sitting on the case, had especially questioned the jury before the trial began as to whether or not they had any compunctions about sentencing a woman to death and each and every one had replied no.

Rarely has the public been so aroused against a woman as it has been against Mrs. McVicar, particularly in California, where no woman has ever before been declared guilty of murder in the first degree with no recommendation to mercy by a jury of twelve men. When the foreman of the jury read the verdict before the crowded court, there was a burst of applause that a woman must die by hanging. Such a thing had never been heard before. Even then Mrs. McVicar maintained her composure. It was a little later that she finally broke down, the terrible strain of the fifteen days' trial and its outcome being too much for her. All night she wept in her cell, but since then she has been calm again and says she is prepared to meet her fate.

Building Business: By Charles N. Crewdson, Author of "Tales of the Road"

A Series of Unusual Interest and Great Practical Value to Everyone in Business of Any Kind

The Profit in Liberality

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CHAPTER V.

"IT'S A pity we haven't more employers like the famous Krupp," remarked the hat manufacturer.

"Well, we have a few," remarked a gentleman who had kept quiet until this time. "I chance to represent a Chicago firm that does a business of forty to fifty million dollars a year. The head of that establishment is still living. Nearly fifty years ago, he, too, was a man who worked for his daily wage as a steam fitter. You never heard of a strike in his establishment. His men love him as the Essen workmen loved Krupp. Why, last Christmas he didn't send to each of his workmen a razor breasted turkey—not much! He distributed among them a quarter of a million dolars in cash!

"It so happened that I, myself, was the one first called upon, many years ago, to pass around the checks when the head of this plant first concluded to make this distribution of a share of his profits. When I handed the checks to the first few they wanted to know what they were for. I said, 'Well, boys, it's just a present from the old gentleman. You've been good and faithful during the last year and he appreciates it and wishes you to have this for a Christmas present.'

"Do you know I couldn't go down the line very far. I simply had to quit. Why, that whole factory force suddenly became as solemn as if attending a funeral. I want to tell you that when men weep there is something doing. Yes, sir; there were scores of men, that day, who actually cried when they received those checks and knew they were free gifts. You can bet there isn't any strike in that establishment because every man feels like the establishment is his own."

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"You bet he pursues the proper policy," spoke up a man traveling for a Boston extract house. "There's Tom Walsh out in Colorado—you've all heard of him—he's living down in Washington now in the finest residence in the city and entertaining all the cream of aristocracy that drifts over this way. Why that fellow is one of the biggest hearted men in the world and one of the broadest gauged.

"Why, do you know, one day the police arrested an old man in Denver who was drunk and half delirious. When they put him in the jug, he kept saying to the jailer, 'Just tell Tom Walsh that Oime in here and Tom'll get me out all right.' The jailer thought his prisoner was only pipe-dreaming, but as the old man insisted on it so strongly, he took his name and sent a telegram down to Mr. Walsh in Washington. Back came a reply at once and one of Walsh's friends in Denver went down to the calaboose and got the old man out.

"And the funny thing about this, too, was that the old man had a trunk away down in Texas somewhere that contained a lot of ore samples. He had worked for Walsh twenty years before. The ore was rich, and if I mistake not, Walsh is developing one of those mines right now and will make the old man rich again before he dies.

"But that's not what I was going to say. Walsh treats his miners better than any man in the world. When all of this strike trouble was going on in Colorado a year or two ago, you didn't hear of the men at the Camp Bird going out, did you? Camp Bird, you know, is the Walsh property.

"I happened to be up at the Camp Bird one day and the foreman told me how the men acted when the question was up as to whether or not they should go out on a strike. Every mother's son of them went down six miles to Ouray where the meeting was to be held. One or two agitators had it up their sleeve to get the men out, but they themselves took hold of the meeting and decided that they would not go out on Tom.

"You just ought to go into the store room of that boarding house up at the mine. There you would see stacks and stacks of the very best food that can be bought. The kitchen is kept as clean as a new tin pan. The miners don't sleep in dirty bunks but they have comfortable beds. In the boarding houses there are plenty of bath rooms and when the men come out of the mines, Walsh has other men take their old wet clothes and hand them their dry ones. I once heard him say, 'Why, when my men come from their work and go to dinner, I want them to go feeling like gentlemen.'"

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"That sounds all very nice," half sneered the maker of shoddy cloth, "but I don't believe it will work. I don't see how one can afford to

look after his workmen and pay them these high wages you're talking about. That's all visionary." This manufacturer was almost making himself an unwelcome guest in this little party and the hat manufacturer blurted out to him, "Ah! your views are entirely too narrow. I don't blame you a bit, though, for I'll confess I had a great deal to learn when I went into my father's factory. I hadn't been there a great while when there was a strike threatened. My father thought of course that the men would go out as they had done many times before, that his factory would be locked up for several months, and that he would simply have to pass up the profits of the season's business.

"There happened to be at that very time an old gentleman from Chicago down here in New York. My father said to him—they had been dealing with each other for twenty-five years then—'Now, look here, I wonder if you can't help me in some way to prevent this strike. It would cost me a very great loss and I wouldn't be able to supply you with the goods you want.' 'Yes, friend,' said the old man to my father, 'you can prevent this strike.' They had talked over what the hatters demanded. At that time they were not making much more than $10 a week. 'Yes, sir, you can prevent this trouble. Give the men what they want. Now, Fred, how much would you like to have your wife and your daughter and your boy here, live on $10 a week? There! You are getting right up against the thing yourself. Ask your own self this question. All that these men are asking for is to be put on a piece work scale. Let them have it. You'll have to charge me, I know, about 25 cents a dozen more for my hats, but I am willing to pay the advance because if you pay your men so they can live better, they will make better hats. After a while all these other fellows will have to do the same thing that you do, and everybody will be better off.'

"Today the men in my factory—my father you know, is no longer in the business—are making twice the wages they did then and they are making better goods."

"Yes, but you can give the men too much rope," insisted the shoddy cloth man. "They will run things for you."

"The opposite of that is exactly true," answered the shoe merchant. "The very shoe factory from which I buy most of my goods, and which does the largest business of its kind in the world, lets its men have a voice in the management of the factory. Instead of trying to ward off difficult questions, the manager invites them. He has established a board of arbitration. He wants to hear the complaints, and he profits by hearing the kicks in this way.

"If any workman or number of workmen have any complaint about wages or anything else, it is so arranged that they shall make their complaint to the foreman. Then these foremen are organized into a board, and if the complaint is unjust they try to stop it right there. If they consider the complaint well grounded, then they carry it to a higher board. If necessary, it comes to the head of the house and he listens to it, but the result is that most of the troubles are settled by the men themselves before they go to the higher court. This manufacturer not only cuts the best leather he can get, but he gets the best men and gets the most out of these there is in them because he treats them right. This is why he has built up such a great business."

(Chapter VI, "Treating Employes Right," will appear in next Sunday's issue.)

Senator Pettus' Own Story of His 2,000 Mile Ride in Search of Gold

(Continued from Fifth Page.)

have to wash them ourselves for the first time in a long while. They were good washerwomen.

"We remained at Salt Lake ten days or more, strengthening our pack teams and laying in supplies. We were treated very handsomely by the Mormons, though I must admit that they charged good prices.

"Yes, I met Brigham Young. He was a big man, tall and broad, just a little fat, maybe, but one of the best built and handsomest men I ever saw. The Mormon people impressed me favorably as a whole. They were of the best backwoodsman type, the best type of men anywhere; hard as flints, brave, and patient. We were in Salt Lake City late in July.

"The first California town we saw was Sacramento City.

"There was only one house in the place when we reached it," said the Senator, "though the population numbered thousands. That was a log house. All the people lived in tents. There were big stores there, stores where you could buy anything you wanted, if you had money enough, but the prices were tremendous.

"We bought our mining tools at Sacramento City and then went to the foothills of the Sierra Nevada mountains on the Carson River road. We spent all the next winter within three or four miles of Placerville.

"We found the biggest prices at Downieville, on the American fork of the Sacramento river, in the mountains. Seventy-five dollars for a barrel of flour is a sample. I paid $100 for a pair of boots, rough, heavy things—the roughest and heaviest made—but the best for miners' use.

"Most of the men in the party went out to dig gold. I went out to practice law. But the courts weren't organized and there was no chance for me to practice. So I went to digging gold, too.

"I must say I think the mob courts in California in 1849 dealt out pretty even-handed justice. There were no legal technicalities at the trials—the men just got together, some one was chosen to be judge, some one to be prosecutor, everybody who knew anything about the facts told what he knew, and judgment was passed promptly. There was no delay in execution, either.

"I kept clear of the mob courts, mostly, but I did take part in one trial. It was at Placerville. A man was charged with killing another, and I undertook to defend him. There was some objection at first, but when I explained that I had studied law and been a solicitor in Alabama they allowed me to take up the case. I made a novel defense. I hardly think there ever was such another defense in a murder case before or since.

"I had seen the 'murdered' man and found that he wasn't dead. I had seen the doctor attending him, and he said the man wasn't going to die—at least not then. He and the accused had got into a quarrel which led to a fight in which the supposed murdered man had received a lot of knife wounds. But they weren't deep ones—only cuts—the supposed murderer had only slashed his man, not stabbed him.

"Well, my defense was accepted and the accused wasn't hanged—then. I went away without knowing what was finally done with him. A long time afterward I met him in another part of the country and asked him about it.

"'They waited till the other fellow got well,' said the Englishman, 'and then they whipped me and cleared me and let me go.'

"That was right in my judgment. I knew about one hanging that was the result of no trial. It was one of the quickest hangings on record.

"A young man, a newcomer, walked into a gambling establishment and the gambler shot him dead in his tracks. It was quick work, and, as it turned out, the result of a mistake. The gambler had never seen the young fellow before. It was the gambler's impression, though, that the newcomer was a man with whom he had quarreled the night before, and he didn't wait to learn whether he was right or not. The murdered man's brother went for the gambler with a bowie knife, but others present held him back. They thought it a pity for the gambler to be killed so respectably as with a knife, so they got a rope and hanged him inside of ten minutes. The place was called Hangtown after that."

"I have seen it stated, Senator, that you took with you on your trip to the coast a select library of three volumes."

"Yes," replied the Senator, "the Bible, Shakespeare and Burns' poems. I read the Bible from cover to cover; I read the side notes, I read the captions of the chapters. I learned great parts of it by heart, and I haven't forgot them yet. I learned many of Burns' poems by heart and much of Shakespeare in the same way, too. I still have the Bible I took with me at home in Selma. It is a little book, not longer than that," measuring about three inches on his index finger, "and thin, with very fine type, but it was the whole Bible."

The Senator said that though he worked hard at placer mining he didn't make a fortune at it. The largest surplus he had at any one time was about $1,000, as he now remembers it. He took about $300 in gold with him, and when he reached home again in 1851, having been gone two years and a month, he had about the same amount of money in his pocket.

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WISDOM OF THE ANCIENTS.

A vine bears three grapes—the first of pleasure, the second of drunkenness, the third of repentance.—Anacharsis.

It is better to be unborn than untaught, for ignorance is the root of misfortune.—Plato.

A hasty man loses the produce of his field and a jealous man his wife.—Tamil proverb.

Hope and joy are the daughters of prosperity and grief of adversity.—Petrarch.

Every one should make the case of the injured his own.—Publius Syrus.

Honesty is to many the cause of poverty.—Quintus Curtius Rufus.

When the demand is a jest the fittest answer is a scoff.—Archimedes.

A little impatience subverts great undertakings.—Chinese proverb.

If all men were just there would be no need of valor.—Agesilaus.

He is great whose failings can be numbered.—Hebrew saying.

An indolent man draws his breath but does not live.—Cicero.

Haste trips up its own heels, fetters and stops itself.—Seneca.

An idle person is the devil's playfellow.—Arabian proverb.

What heaven ordains the wise with courage bear.—Homer.

How void of reason are our hopes and fears.—Juvenal.

Justice is the rightful sovereign of the world.—Pindar.

You love a nothing when you love an ingrate.—Plautus.

Joys are not the property of the rich alone.—Horace.

Intoxication is a temporary madness.—Pythagoras.

Nothing is impossible to industry.—Fernander.

It is a kingly act to help the fallen.—Ovid.

Those whom guilt stains it equals.—Lucan.

Hear and be just.—Virgil.

—Milwaukee Sentinel.